

HB. 113

A BILL

FOR

AN ACT TO PROVIDE FOR THE REGULATION AND REGISTRATION OF LOBBYISTS IN
NIGERIA AND FOR OTHER MATTERS CONNECTED THEREWITH

Sponsors:

HON. CHUKWUDI MAYOR EZE	HON. LEOO. OGOR
HON. NKEIRUKA'OYEJIOCHA	HON. C. I. D. MMADUABUM
HON. ITA ENANG	HON. EMMANUEL JIME
HON. MOHAMMED D. KWAKWARA	HON. DINO MELA YE
HON. DANLADI LIMAN	HON. PAUL EZE
HON. SYLVESTER OGBAGA	HON. OGBUEFI OZOMGBACHI
HON. PAT ASADU	HON. JULIET OBASI AKANO
HON. CHUKWUKA ONYEMA	HON. UCHEEWUIFE
HON. BASSEY EKO EWA	HON. NXANA UZOR KALU
HON. DARLINGTON OKEREKE	HON. EMEKA IHEDIOKA
HON. CHUMA NZERIBE	HON. PEACE NNAJI
HON. MATHEW OMEGARA	HON. STANLEY OHAJURUKA
HON. ARIBISALA ADEWALE	Hox. RUFUS OMEIRE
HON. ABBAS BRAIMAH	HON. SOLOMOX AHWINAHWI
HON. FRIDAY ITULAH	Hox. MOHAMMED MAIFATS
HON. EZIUCHEUBANT	Hox. I. U. CHIMA
HON. KALU UDUMA	Hox. UMEAJI CHUKWUMA
HON. SAMSOXOSAGIE	Hox. HENRY SHAWULU
HON. HERMAN HEMBE	HON. PAULICAPIGWE

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Commence
ment.

BE IT EXACTED by the National Assembly of the Federal Republic of
Nigeria as follows:

- 1 1. A person may carry on business as a lobbyist in the National Assembly Application.
- 2 if-
- 3 (a) A member of a Company duly registered under the Companies and
- 4 Allied Matters Act to carry out the business as such.
- 5 (b) In addition to section 1 (a) above, the person shall register with the
- 6 Federal Ministry of justice to practice as a lobbyist in either Senate of the
- 7 Federal Republic of Nigeria or the House of Representatives of the Federal
- 8 Republic of Nigeria or in both Houses.

Mode of Registration.	1 2.—(1) There shall be paid by any person willing to register as a lobbyist, 2 a deposit to be determined by the Attorney General and Minister of Justice of 3 the Federal Republic of Nigeria subject to any regulation made by the 4 President of the Federal Republic of Nigeria.
	5 (2) Upon receipt of the application and the prescribed deposit, the Attorney 6 General and Minister of Justice may consider the suitability or otherwise of the 7 applicant subject to the provision of section 1 (one) of this Bill.
Appointment of a Registrar.	8 3. The Attorney General and Minister of Justices shall appoint a Director 9 in the ministry of Justices to act as Registrar for the purposes of this Bill.
A Registrar to be Kept.	10 4.—(1) The Register shall established and maintain a registry in which a 11 record of all returns and other documents submitted to be kept. 12 (2) The register shall contain the names and addresses of all licensed 13 lobbyist and such other particulars as may be specified by the Minister.
Functions of the Registrar.	14 5.—(1) The Register shall perform one or more of the followings— 15 {a) Verify any information contained in any return or other documents 16 submitted under this B ill. 17 (b) Shall refuse to accept return or other documents that does not comply 18 with the requirements of this Bill or the regulation made by the President. 19 (c) Delegate in writing to a person employed in the registrar's office any 20 of the registrar's functions under this Bill. 21 (2) On refusing to accept a return or other documents under this Bill, the 22 registrar shall— 23 (a) Inform the person who submitted the return or other documents of the 24 refusal and the reason(s) thereof; 25 (b) Allow a reasonable extension of time within which to file a return or 26 other documents, if the ones filed earlier are refused. 27 (c) Where a return is filed after the expiration of the reasonable time 28 allowed by the registrar in place of the one refused, it is deemed to have 29 been filed or submitted as the case may be on the date the registrar received 30 the one that was refused.

6. Each return filed under the provisions of this Bill shall include the following information—

(a) the name and business address of the lobbyist or senior officer required to file the return.

(b) if the return is filed by a consultant lobbyist;

(i) the name and business address of the firm, if any, where the consultant lobbyist is engaged in business.

(ii) the name and business address of the client and of any person or organization that, to the consultant lobbyist's knowledge, client's activities has a direct interest in the outcome of the consultant lobbyist's activities.

(c) if the return is filed by an in-house lobbyist,

(i) the name and business address of the employer,

(ii) a description in summary form of the employer's business or activities and any other information that is required by the regulation to identify its business or activities.

(iii) If the employer is a corporation, the name and business address of each subsidiary of the corporation that, to the in-house lobbyist's knowledge has a direct interest in the outcome of the in-house lobbyist's activities on the employer's behalf.

(d) if the return is filed by the senior officer of an organization:

(i) the name of the organization,

(ii) a description summary form of the organization's business or activities and any other information that is prescribed by the regulations to identify its business or activities.

(iii) the name of any government or government agency that funds or party funds the organization and the amount of the funding.

(e) Particulars to identify the subject matter concerning which:

(i) A consultant lobbyist named in the return that has undertaken to lobby,

(ii) Any in-house lobbyist named in the return that has lobbied or expects to lobby during the relevant period.

	1	(f) Particulars to identify any relevant legislative proposal, Bill, resolutions,
	2	regulations, programmes, policy, contract or financial benefit.
	3	(g) The name of any member of the National Assembly if a consultant
	4	lobbyist or in-house lobbyist named in the return has lobbied or expect to
	5	lobby during the relevant period. . .
Public Access to Registry.	6	7. The registry established under, clause 4(1) of the Bill must be available
	7	for public inspection in the manner and at the time that the registrar may
	8	determine.
Time to file Return.	9	8. A return in a prescribed form and containing the information required
	10	by the provision of this Bill must be filed with the registrar as follows—
	11	(a) by a consultant lobbyist, within 10 days after entering in to an
	12	undertaking to lobby on behalf of a client;
	13	(b) by an in-house lobbyist with 10 days after entering in to an undertaken
	14	to be lobby on behalf of his employer;
	15	(c) by a senior Officer of an organization within 10 days after entering an
	16	undertaken to be lobby on behalf of his organization.
Offence and penalty.	17	9. A person who supplies false or misleading information in a return or
	18	other documents submitted to the registrar under the provisions of this Bill
	19	commits an offence and is liable on conviction to a fine not exceeding (N5,000.00)
	20	Five Thousand Naira only or to a term of imprisonment of not more than three
	21	(3) years or both.
Regulations.	22	10. The President may make regulations relating to the conduct of lobbyists
	23	and for giving full effect to the provision of this Bill.
Exemptions.	24	11. The Bill does not apply to any of the following persons when acting in
	25	his Official capacity.
	26	(1) A member of the Senate or House of Representatives
	27	(2) A staff of the National Assembly
	28	(3) An employee of the Government of Nigeria or of the Government of
	29	another State.
	30	(4) Diplomatic agents, consular Officers or Officer representatives in
	31	Nigeria of a Foreign Government.

1 12. In this Bill— Interpretation.

2 "Consultant Lobbyist" means an individual who for payment undertaken
3 to lobby on behalf of a Client;

4 "Client" means a person or-Organization on whose behalf a consultant
5 lobbyist undertaken to lobby;

6 "In-House Lobbyist" means an individual who is employed by-a person or
7 Organization and a significant part of whose duties as an employee in to
8 lobby on behalf of his employer, and if a corporation on behalf of any subsidiary
9 of the employer.

10 "Lobby" means to engage in a communication with a public service
11 holder in an attempt to influence—

12 (i) the development of any legislative proposal by the Executive Arm
13 of Government or by a member of the National Assembly,

14 (ii) the introduction of any Bill or motion in the National Assembly,
15 any amendment, passage or defeat of any Bill or resolution that is before
16 the National Assembly;

17 (iii) in relation only to a consultant lobbyist, to arrange a meeting
18 between a public Office holder and any other person;

19 "Organization" means —

20 (i) a Business, Trade, Industrial Professional or Voluntary Organization,

21 (ii) a Trade Union or Labour Organization,

22 (iii) a Chamber of Commerce And Industries,

23 (iv) a Charitable or Non Project Organization, Association, Society,
24 Coalition, or Interest Group;

25 "Registrar" means a person designated as registrar under the provisions
26 of this Bill;

27 "Public Office Holder" means —

28 (i) a Member of the National Assembly,

29 (ii) an Officer of the National Assembly.

30 13. This Bill may be cited as the Lobbyist (Regulation and Registration) Citation.
31 Bill, 2008.

C 4442 2008 No.

Lobbyist (Regulation and Registration)

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the Regulation and registration of lobbyists in Nigeria.